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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,786	06/15/2001	Gabriel L. Romero	1003-0559	9984
7590	02/18/2004		EXAMINER	
Peter P. Scott LSI Logic Corporation Mail Stop D-106 1551 McCarthy Boulevard Milpitas, CA 95035			BENSON, WALTER	
			ART UNIT	PAPER NUMBER
			2858	

DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/882,786	Applicant(s) ROMERO ET AL.	
	Examiner Walter Benson	Art Unit 2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11-17 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-17 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Appeal Brief was received on 11/24/2003.

2. Upon review of the file, a new ground(s) of rejection has been applied to the claims.

Thus, the finality of the last Office action is withdrawn, and a new Office action is as follows:

3. Claims 1-7, 11-17, and 21 are pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 and 11- 16 rejected under 35 U.S.C. 102(b) as being anticipated by Nihart et al. (US Patent No. 4,941,115 and Nihart hereinafter).

6. As to claims 1 and 11, Nihart discloses an apparatus and method for enabling signal testing in a test configuration [col. 1, lines 45-54], comprising:

a cable environment embodied as a portable housing structure [200, Figs 2 and 3];
including a plurality of cables exhibiting a plurality of lengths and impedances (col. 2, lines 56-64 and col. 4, lines 5-10);

where at least a portion of each of the cables is supported within the portable housing structure (223, 227, Fig. 2; col. 3, lines 6-10);

a user can selectively connect any one of the cables between a host device and a target device (123, Fig1; col. 2, lines 23-36 and col. 4, lines 26-28).

7. As to claims 2 and 12, Nihart discloses an apparatus and method for enabling signal testing in a test configuration, further comprising:

at least one signal measurement connector which is connectable to the cable environment [221, Fig. 3], the at least one signal measurement connector including one or more test measurement points to enable collection of signal testing results (col. 3, lines 35-44).

8. As to claims 3 and 13, Nihart discloses an apparatus and method for enabling signal testing in a test configuration, comprising:

Where the host device is a server (col. 2, lines 4-11).

9. As to claims 4 and 14, Nihart discloses an apparatus and method for enabling signal testing in a test configuration, comprising:

a. Where the target device is a disk subsystem (col. 2, lines 11-15).

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10. As to claims 5 and 15, Nihart discloses an apparatus and method for enabling signal testing in a test configuration, comprising:

where the cable environment includes a switch enabling the user to select a cable of a particular length and impedance (col. 4, lines 26-28).

11. As to 7 and 14, Nihart discloses an apparatus and method for enabling signal testing in a test configuration, comprising:

Where the test configuration is a Y-configuration (221, 222, 225, 226, 411, 412, Fig. 4; col. 4. lines 5-10)

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 6, 12, and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Nihart as applied to claims 1 and 11 above, and further in view of Bagg et al. (US Patent No. 6,341, 358 B1 and Bagg hereinafter).

Although the system disclosed by Nihart shows substantial features of the claimed invention (discussed above), it fails to disclose:

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where the signal testing is SCSI signal testing [claims 6,12];

a switch to selectively connect any one of the cables of the cable environment between a host device and a target device [claim 21].

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Nihart, as evidenced by Bagg.

In an analogous art, Bagg discloses an integrity tester for parallel signal bus having:

where the signal testing is SCSI signal testing [claims 6,12] (col. 3, lines 33-40 and col. 8, lines 11-13 to test the bus cable for defects and provide an indication of the detection of an error;

a switch to selectively connect any one of the cables of the cable environment between a host device and a target device [claim 21] (col. 8, lines 42-50).

Given the teaching of Bagg, a person having ordinary skill in the art at the time of the invention would have readily recognized the advantages of modifying Nihart by employing the well known or conventional features of network evaluation, such as disclosed by Bagg in order to have the user directly control a number of different types of tests to ensure bus is functioning properly.

Prior Art Made of Record

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

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A. Crimmins (US Patent No. 3,336,434) discloses a wire system and connection for computer and other devices with Y run cable (col. 4, lines 14-23).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter Benson whose telephone number is (571) 272-2227. The examiner can normally be reached on Mon to Fri 6:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (703) 308-0750. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.

Walter Benson 
Patent Examiner

January 26, 2004


N. Le
Supervisory Patent Examiner
Technology Center 2800